

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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V.B., on behalf of herself and her child,

Plaintiffs,

-v-

NEW YORK CITY DEPARTMENT OF EDUCATION,
et al.,

Defendants.
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19-CV-11226 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

In this case, originally filed on December 6, 2019, Plaintiffs brought claims pursuant to, *inter alia*, the Individuals with Disabilities Education Act (“IDEA”), Title 20, United States Code, Section 1410 *et seq.* See ECF No. 1. By Order entered on August 3, 2020, the Court referred the case to Magistrate Judge Lehrburger for General Pretrial purposes. See ECF No. 32. On May 27, 2021, the parties informed the Court that they settled all claims and “the only remaining issue is attorneys’ fees and costs.” ECF No. 57.

Unless and until Magistrate Judge Lehrburger orders otherwise, the parties shall file a joint letter (addressed to the Magistrate Judge), no later than **June 21, 2021**, and not to exceed two pages, indicating whether there is any need for discovery as to the remaining issues regarding attorneys’ fees and costs. If there is no such need, the parties should include in their letter a proposed briefing schedule for any motions, including motions for summary judgment. If the parties are able to settle this matter in its entirety before then — as they state they are hopeful will happen, *see* ECF No. 57 — then they should promptly notify the Court.

In addition, to conserve resources, to promote judicial efficiency, and in an effort to

achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before Magistrate Judge Lehrburger.

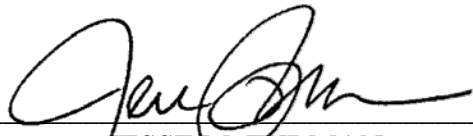
If both parties consent to proceed before Magistrate Judge Lehrburger, Plaintiffs shall, **by June 21, 2021**, either mail or email to Furman_NYSDChambers@nysd.uscourts.gov a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is available at <https://www.nysd.uscourts.gov/node/754>. If the Court approves that form, all further proceedings will then be conducted before Magistrate Judge Lehrburger rather than before the undersigned.

If either party does not consent to conducting all further proceedings before Magistrate Judge Lehrburger, the parties must file a joint letter **by the same deadline** advising the Court that the parties do not consent, **but without disclosing the identity of the party or parties who do not consent**. There will be no adverse consequences if the parties do not consent to proceed before Magistrate Judge Lehrburger.

Finally, the pretrial conference currently scheduled for June 2, 2021, is hereby
ADJOURNED *sine die*.

SO ORDERED.

Dated: May 28, 2021
New York, New York



JESSE M. FURMAN
United States District Judge